

Message Text

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67

ACTION IO-13

INFO OCT-01 NEA-10 ISO-00 AF-08 ARA-10 EA-09 EUR-12

CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05

PA-02 PRS-01 SP-02 SS-15 USIA-15 ACDA-10 DHA-02 DPW-01

/132 W

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R 020103Z DEC 76

FM USMISSION USUN NY

TO SECSTATE WASHDC 1331

INFO AMEMBASSY AMMAN

AMEMBASSY CAIRO

AMEMBASSY DAMASCUS

AMEMBASSY TEL AVIV

AMCONSUL JERUSALEM

UNCLAS USUN 5820

E.O. 11652: N/A

TAGS: PFOR, UNGA, EG, IS, JO, SY

SUBJ: SPECIAL POLITICAL COMMITTEE - ISRAELI PRACTICES IN
OCCUPIED TERRITORIES

REF: USUN 5784

1. BEGIN SUMMARY: THREE OF FOUR RESOLUTIONS ON ISRAELI
PRACTICES IN OCCUPIED TERRITORIES WERE INTRODUCED IN GA
SPECIAL POLITICAL COMMITTEE (SPC) DECEMBER 1, WITH FOURTH
TO BE INTRODUCED DECEMBER 2. UAE, YUGOSLAVIA, JORDAN,
SYRIA AND ISRAEL EXERCISED RIGHT OF REPLY, AND ISRAEL AND
KUWAIT SPOKE BRIEFLY ON THREE RESOLUTIONS INTRODUCED.
END SUMMARY.

2. DECEMBER 1 MEETING OF SPC ON ISRAELI PRACTICES IN
OCCUPIED TERRITORIES OPENED WITH REPLIES TO ISRAEL BY
UAE, YUGOSLAVIA, JORDAN AND SYRIA. UAE REFERRED TO HIS
EARLIER QUESTIONS TO ISRAEL ON APPLICABILITY OF FOURTH
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GENEVA CONVENTION TO OCCUPIED TERRITORIES AND COMPALINED

THAT THEY HAD STILL NOT BEEN ANSWERED. HE PRESSED FOR "REAL" REASONS THAT ISRAEL REJECTS APPLICABILITY OF CONVENTION, AS WELL AS FOR DETAILED LEGAL EXPLANATION AND INSISTED ISRAEL COULD NOT INVOKE CONVENTION TO JUSTIFY CERTAIN ACTIONS WHILE SAYING IT DID NOT APPLY IN TERRITORIES.

3. YUGOSLAVIA REJECTED ISRAELI CHARGES AGAINST HIS COUNTRY AS ENTIRELY UNFOUNDED AND CHARACTERIZED THEM AS UNSUCCESSFUL ATTEMPT TO DISQUALIFY YUGOSLAV MEMBER OF SPECIAL COMMITTEE AND TO IMPEACE FINDINGS OF THAT COMMITTEE. YUGOSLAVIA, HE SAID, WOULD NONETHELESS CONTINUE ITS SUPPORT OF SPECIAL COMMITTEE AND OTHER EFFORTS TO ACHIEVE END OF ISRAELI OCCUPATION AND ME SETTLEMENT. JORDAN (KASRAWI) REFUTED ISRAEL'S ACCUASTIONS, CLAIMING DISTORTION OF FACTS. HE SAID IF JEWS WERE DENIED ACCESS TO HOLY SITES IN EAST JERUSALEM AND WEST BANK IT HAD BEEN DUE TO ISRAELI INTRANSIGENCE AND CITED PALESTINE CONCILIATION COMMISSION EFFORTS OF 1949 WITH WHICH HE CLAIMED ISRAEL DID NOT COOPERATE. HE DENIED GOJ DESECRATION OF CEMETERIES, ETC. AND COUNTER-CHARGED THAT ISRAEL HAD DESTROYED 1,000-YEAR-OLD MOSLEM MAMILLA CEMETERY (IN WEST JERUSALEM) AND HAD DAMAGED AND DENIED ACCESS TO CHRISTIAN HOLY SITES ON MT. ZION BETWEEN 1948 AND 1967.

4. SYRIA (SIBAH) DEFENDED OBJECTIVITY OF SPECIAL COMMITTEE'S FINDINGS, ESPCEIALLY RE QUNEITRA AND QUOTED RABIN IN SUPPORT OF POSITION THAT ISRAEL WAS RESPONSIBLE FOR DESTRUCTION THERE. HE DENIED ISRAELI CHARGES ON SYRIAN TREATMENT OF POWS AND CHARGED ISRAEL WITH ATROCITIES AGAINST POWS IT TOOK IN 1973. HE ALSO ACCUSED ISRAEL OF BOMBING CIVILIAN TARGETS IN 1973 WAR. FINALLY, HE URGED ISRAEL TO SUBMIT MATERIAL TO SPECIAL COMMITTEE IF ISRAEL NOT SATISFIED WITH COMMITTEE'S WORK.

5. ISRAEL (DORON) COUNTERED ARAB DELS'S ARGUMENTS WITH FURTHER CHARGES AND REPETITION OF PREVIOUSLY-STATED POSITION ON FORMAL APPLICATION OF GENEVA CONVENTION
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AS OPPOSED TO PRACTICAL APPLICATION OF ITS NORMS. HE SAID LEGAL POSITION WELL KNOWN AND HE WOULD NOT WASTE COMMITTEE'S TIME WITH ANOTHER LENGTHY EXPLANATION. FOLLOWING CHAIRMAN'S APPEAL FOR RESTRAINT AND BREVITY, SINCE CHARGES AND COUNTER-CHARGES "DO NOT HELP THE COMMITTEE IN ITS WORK," ALL FOUR ARAB DELS SPOKE BRIEFLY AGAIN. ISRAEL THEN SAID THAT, IN DEFERENCE TO CHAIR'S APPEAL, IT WOULD NOT MAKE FURTHER REPLY,

ALTHOUGH IT DID NOT ACCEPT CLAIMS MADE BY OTHER
SPEAKERS.

6. RESOLUTION ON SETTLEMENTS (A/SPC/31/L.9) WAS THEN
INTRODUCED BY BANGLADESH ON BEHALF OF ITSELF PLUS
CAR, CHAD, CUBA, INDIA, INDONESIA, LAOS, MALAYSIA,
PAKISTAN AND YUGOSLAVIA. INDONESIA INTRODUCED
RESOLUTION ON APPLICABILITY OF GENEVA CONVENTION
(A/SPC/31/L.10) VIRTUALLY IDENTICAL TO LAST YEAR'S
TEXT. OTHER COSPONSORS ARE BANGLADESH, CAR, CHAD,
CUBA, INDIA, LAOS, MALAYSIA, MOZAMBIQUE, PAKISTAN,
UGANDA, TANZANIA AND YUGOSLAVIA. THIRD RESOLUTION -
OMNIBUS TEXT THAT IT ALMOST IDENTICAL TO LAST YEAR'S -
(A/SPC/31/L.11) WAS INTRODUCED BY PAKISTAN ON BEHALF
OF ITSELF AND AFGHANISTAN, BANGLADESH, CUBA, CYPRUS,
GAMBIA, GUINEA, AND INDIA.

7. CHAIRMAN ANNOUNCED THAT FOURTH RES (ON QUNEITRA -
A/SPC/31/L.12) WOULD BE INTRODUCED FOLLOWING DAY BUT,
IF NO OBJECTION, SINCE ALL RESOLUTIONS AVAILBLE FOR
STUDY, VOTE WOULD BE TAKEN DECEMBER 2 ON ALL FOUR.
THERE WAS NO OBJECTION. ISRAEL SPOKE ON FIRST THREE
RESOLUTIONS, ARGUING THAT THERE WAS NO JUSTIFICATION
FOR L.9 AND L.11 AND NOTING POSITION WELL KNOWN ON
L.10, ON WHICH HE REALIZED THERE WERE DIFFERING VIEWS
ON LEGAL SITUATION. HE HOPED DELS WOULD NOT SUPPORT
THESE RESOLUTIONS AND SAID HE WOULD ADDRESS HIMSELF
TO L.12 NEXT DAY AFTER ITS FORMAL INTRODUCTION.
KUWAIT SPOKE IN FAVOR OF L.9 AND L.10, IN PARTICULAR
REJECTING ISRAEL'S STATEMENT THAT THERE HAD BEEN NO
DEMOGRAPHIC OR GEOGRAPHIC CHANGES IN OCCUPIED TERRITORIES.
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